



Atty. Dkt. No. 047711-0221

1-4  
5-13-03

#21/47  
Recy  
RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald J. Lebel et al.  
Title: AMBULATORY MEDICAL  
APPARATUS WITH HAND  
HELD COMMUNICATION  
DEVICE  
Appl. No.: 09/768,196  
Appl. Filing Date: 01/22/2001  
Examiner: Matthew F. Desanto  
Art Unit: 3763

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EL 857529242 US (Express Mail Label Number)	May 1, 2003 (Date of Deposit)
Beatriz Valencia (Printed Name)	
<i>Beatriz Valencia</i>	

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

RECEIVED  
MAY 12 2003

TECHNOLOGY CENTER R3700

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

[ X ] Please enter and consider the amendment/reply previously filed on March 26, 2003.

[ X ] Please consider the Affidavit(s)/Declaration(s) previously filed on August 9, 2001.

05/06/2003 MGE BREM1 00000118 09768196

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750.00 OP

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

☐ Other \_\_\_\_.

b. Enclosed are:

☐ Amendment/Reply.

☒ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of \_\_\_\_ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e)				\$750.00	\$750.00
Total Claims:	11	16	= 0	x \$18.00	= \$0.00
Independents:	2	3	= 0	x \$84.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$280.00	=	\$0.00
CLAIMS FEE TOTAL:					= \$750.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$110.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL:			\$110.00
CLAIMS AND EXTENSION FEE TOTAL:			\$860.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
TOTAL FEE:			\$860.00

☒ A check in the amount of \$860.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date

May 1, 2003

FOLEY & LARDNER

Customer Number: 23392



23392

PATENT TRADEMARK OFFICE

Telephone: (310) 975-7963

Facsimile: (310) 557-8475

Respectfully submitted,

By

Ted R. Rittmaster

Attorney for Applicant

Registration No. 32,933